

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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OMAR J. TALLEY,

Petitioner,

v.

BRIAN WILLIAMS, et al.,

Respondents.

Case No. 3:13-cv-00573-MMD-VPC

ORDER

Respondents have submitted a motion for compliance with rule 2 (dkt. no. 9). Petitioner did not sign his petition under penalty of perjury, as required by Rule 2(c)(5) of the Rules Governing Section 2254 Cases in the United States District Courts. Petitioner already has a copy of his petition. The Court will send petitioner a blank habeas corpus petition form. Petitioner will need to sign page 9 of the petition form in the appropriate locations and attach it to the end of his copy of the petition. Petitioner then will need to re-file his petition with the signed page 9 of the petition form.

Petitioner will not need to mail a copy of his re-filed petition to respondents. For this matter, the notice of electronic filing generated by CM/ECF when the re-filed petition is docketed will suffice for service and proof of service upon respondents.

Respondents also have submitted a motion for enlargement of time (second request) (dkt. no. 10), which the Court grants.

It is therefore ordered that respondents' motion for compliance with rule 2 (dkt. no. 9) is granted.


1 It is further ordered that the Clerk of the Court shall send petitioner a petition for a
2 writ of habeas corpus pursuant to 28 U.S.C. § 2254 form.

3 It is further ordered that plaintiff shall sign page 9 of the petition form in the
4 appropriate locations. Petitioner shall then attach the signed page 9 of the form to the
5 end of his copy of the petition for a writ of habeas corpus. Petitioner shall then re-file his
6 petition with the signed page 9 of the petition form within fifteen (15) days from the date
7 of entry of this order.

8 It is further ordered that, notwithstanding the provisions of the Court's order
9 directing service (dkt. no. 3), and for the purposes of re-filing the petition only, petitioner
10 need not mail a copy of the re-filed petition to respondents.

11 It is further ordered that respondents' motion for enlargement of time (second
12 request) (dkt. no. 10) is granted. Respondents shall have thirty (30) days from the date
13 of electronic service of the re-filed petition to file and serve an answer or other
14 response.

15 DATED THIS 9th day of September 2014.

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19 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE
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